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LEAH ROBINSON  
MICHAEL E. ROBINSON

**LUEDEKA, NEELY & GRAHAM**  
A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

P.O. BOX 1871  
KNOXVILLE, TENNESSEE 37901-1871

PHONE (865) 546-4305  
FACSIMILE (865) 523-4478

E-MAIL: firm@LNG-patent.com

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SHIPPING ADDRESS:  
SUITE 1871, RIVERVIEW TOWER  
900 SOUTH GAY STREET  
KNOXVILLE, TENNESSEE 37902

FRED THOMSEN  
Of Counsel

September 24, 2009  
**FACSIMILE TRANSMITTAL**

TO: Examiner Sandra Wegert Fax # 571-273-8300  
FROM: Mark Graham, Esq., Reg. No. 32,355  
re: Process for the Purification of Recombinant Polypeptides  
U.S. Application No. 10/568,332 filed 02/13/2006;  
Applicant: Gunter Stempfer/ Confirmation No. 6279;  
Sandoz Docket No. BP/G-33315A/BCK (LNG File No. 61310.US)  
cc: Mark Bowditch, Esq.  
Rashida Dias  
J. David Gonce, Esq.  
Ed LaRose

**TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE, 2**

Dear Examiner Wegert:

Ed LaRose of our office called you September 17, 2009, regarding the above-referenced case. We understand that a mistake was inadvertently made on the part of the USPTO and that it was determined to withdraw the Final Office Action of May 1, 2009, and issue a new Non-Final Office Action.

We also understood from Mr. LaRose that you would be acting on this case in the near future, that there is no need for us to file a petition for an extension of time or take any other action at this time, and that we should sit tight and wait further word from your office before doing anything further. If this is incorrect, please let us know ASAP.

We have checked PAIR in this regard and do not find a new Non-Final Office Action or any other entry by the USPTO since our last submission. The last entry is the Amendment After Final we filed July 31, 2009, responsive to the May 1, 2009, Final Office Action. It concerns us that so

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much time has passed with no official word from the USPTO with regard to disposition of this case in light of our response filed on July 31, which merely adopted the Examiner's suggestions to rewrite objected-to claims in independent form, etc., and which should have resulted in allowance of the case.

Please send us a confirmation of your concurrence of our understanding from your telephone conference with Mr. LaRose. If you have any questions or would like to speak with us about this case, please feel free to call me at (865) 546-4305.

Best regards.

Mark Graham

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